

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 1688 of 2005

Between:

D.Rama Rao, s/o Vasudeva Rao,
r/o 1-7-407, Revenue Colony, Warangal-506 001.

..... PETITIONER

AND

- 1 The Enquiry Officer and Regional Director, National Savings (GOI), Besantnagar, Rajajinagar, Chennai-600 090.
- 2 The Regional Director, now at CGO Complex, Kendriyasadan, Koramangala, Bangalore.
- 3 The Joint National Savings Commissioner, National Savings Organisation (GOI), CEO Complex, Seminary Hills, Nagpur.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more in the nature of a writ of mandamus declaring the charge memo dated 2-5-1997 issued by the respondents as wholly illegal and untenable as confirmed by the Central Administrative Tribunal in O.A.No.65 of 2002 dated 24-4-2003 and consequently set aside the same and pass such other order or orders as may deem fit and proper in the circumstances of the case, as otherwise the petitioner will suffer grave and irreparable loss.

Counsel for the Petitioner: MR.V.HARI HARAN

Counsel for the Respondents: MR.ARAJASHEKAR REDDY (SC FOR CG)

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed assailing the order, dated 24.04.2003, passed by the Central Administrative Tribunal, Hyderabad, in O.A.No.65 of 2002.

2. The petitioner was working as Driver-cum-Operator in National Savings Organisation (GOI). He was issued with a charge memo dated 02.05.1997 by the 2nd respondent and thereafter, explanation was called for. However, the 1st respondent commenced enquiry on 21.03.2001. The petitioner objected the appointment of the Enquiry Officer on the ground that he was biased towards him and as there was no response, he filed O.A. But, however, during the interregnum, the enquiry officer was changed and therefore, the Tribunal dismissed the O.A. by an order, dated 24.04.2003, leaving it open to the petitioner to make other grounds on the validity of the charges levelled against him and also the authority of the officer who is conducting the enquiry.

3. Thus, we find that the impugned order does not suffer from any illegality or infirmity and the Writ Petition is liable to be dismissed.

4. Accordingly, the Writ Petition is dismissed. No costs.

G. BIKSHAPATHY, J.

Date: 04.02.2005

P.S. NARAYANA, J.

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To

1 The Enquiry Officer and Regional Director, National Savings (GOI), Besantnagar, Rajajinagar, Chennai-600 090.

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